

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROBERT ZIMMERMAN,

Plaintiff,

-v-

UBS AG; UBS GROUP AG; UBS SECURITIES, LLC;
UBS FINANCIAL SERVICES, INC.; UBS
AMERICAS HOLDING LLC; CHARLES SCHWAB &
CO., INC.; ERNST & YOUNG LLP; CHARLES
SCHWAB; WALT BETTINGER; AXEL WEBER;
MICHEL DEMARE; TOM NARITIL; MARKUS
DIETHELM; SERGIO ERMOTTI; WILLIAM
PARRETT; ANN GODBEHER; ISABELLE ROMY;
BEATRICE WEDER DI MAURO; RETO
FRANCIONI; ROBERT MCCANN; MARIE-LAURE
DELAURE; TROY BUTNER,

Defendants.
-----X

17-CV-4503 (JMF)

ORDER

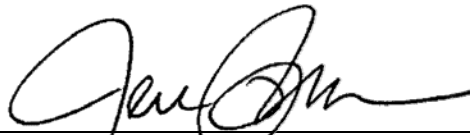
JESSE M. FURMAN, United States District Judge:

The Court has received the attached communication from Plaintiff Robert Zimmerman, proceeding *pro se*, disputing the Court's two orders denying him leave to appeal *in forma pauperis*. See ECF No. 101, 116. The decision — from August 24, 2018 — still stands, and any further requests from Mr. Zimmerman to reconsider this issue will be similarly denied.

The Court will mail a copy of this Order to Plaintiff.

SO ORDERED.

Dated: April 14, 2020
New York, New York



JESSE M. FURMAN
United States District Judge

March 18, 2020

Honorable Jesse M. Furman
United States District Court Judge in the Southern District of New York

Re: Robert Zimmerman v. UBS Ag, et al, No, 17-CV-4503-JMF

Dear Judge Furman:

Especially in New York, courts, *in forma pauperis* relief is available to the poor in civil proceedings through express provisions of statute or through court-developed extensions of the common law. See N.Y. Crv. PRAC. LAW § 1102(a)-(d) (McKinney Supp. 1969).

Counsels for the enormously wealthy and well-represented defendants sole argument for objecting to plaintiff's request to proceed *in forma pauperis* is that plaintiff's request for such status is not in "good faith," when in fact the only bad faith is their objection.

Counsels for defendants have not in their March 13, 2020 letter to this Court, nor in their any of their arguments in this Court nor in their fully-briefed arguments in the Court of Appeals, have ever argued that plaintiff's claims are in any way frivolous or in bad faith, or sought to dismiss plaintiff's claims as frivolous or in bad faith in either in this Court or the Court of Appeals.

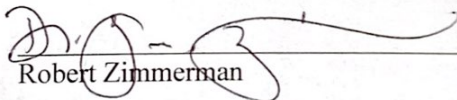
Moreover, if this Court had considered plaintiff's claims frivolous, or in bad faith, it would have so ruled at the outset of this case and not granted plaintiff leave to file an amended complaint and file his now fully-briefed Appeal that addresses important matters of law.

Plaintiff has already, under financial duress, paid fees and other costs to proceed in this Court and the Court of Appeals, which have amounted to over \$2,000. Recently plaintiff's 2008 car broke down and repairs left him with less than \$300 in his financial accounts.

Moreover, a fully-briefed Court of Appeals also has not dismissed plaintiff's claims as frivolous, finding only that plaintiff should seek an Order of Final Judgement from this Court, which this Court graciously granted.

If a 79-year-old pro se veteran/plaintiff with multiple infirmities whose retirement savings were all but wiped out by the unlawful actions of the defendants and is now pursuing a modest existence on a \$1005 monthly Social Security allotment and food stamps does not qualify to proceed *in forma pauperis*, so be it.

Respectfully submitted by U.S. mail to the Court and counsels for defendants on March 18, 2020 by"


Robert Zimmerman

Robert Zimmerman, 329 Sandpiper Lane, Hampstead, NC 28443
Tel: 910-228-3610, Email: BobZimmerman@usa.com.


CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on March 18, 2020, Robert Zimmerman served a copy of the above to the following counsels for defendants in this action.

David Goldberg, Katten Law, 575 Madison Ave., N.Y., N.Y. 10022

Richard Marooney, King & Spalding, 1185 Ave., of Americas, N.Y., N.Y. 10036

Dated March 18, 2020 and signed below by Robert Zimmerman


Robert Zimmerman

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Zimmerman

329 Sandpiper Lane

Hampstead NC

28443

CHARLOTTE NC 282

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USA

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USA

Cherokee Strip
Land Run
1893

Honorable Jesse M. Furman
U.S. District Judge
U.S. District Court
Southern District of NY
40 Center St. Room 2202
N.Y., N.Y. 10007

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SDNY

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